IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO : 1007 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 26/04/2005 in WP NO : 9080 OF 2005 on the file of the High Court.)

Between:

The Fishermen Cooperative Society Ltd. Regn. No. 1-48,

Village Rangampally, Mandal Parigi, Rangareddy District, Rep

by its President, Sri K. Lingaiah, S/o. Late Chandraiah,
aged 49 years, R/o. Rangampally Village

..... APPELLANT

AND

1. The Government of Andhra Pradesh, Rep by its Principal

Secretary, Panchayat Raj & Rural Development, (PTS-IV)

Department, Secretariat, Hyderabad.
2 The District Magistrate & Collector (Panchayat Wing),

Ranga Reddy District.
3 The District Panchayat Officer, Rangareddy District,

Hyderabad.
4 The Divisional Panchayat Officer, Chevella, Ranga Reddy

District.
5 The Asst. Director of Fisheries, Rangareddy District,

Hyderabad.

6 The Sarpanch, Rangampally Gram Panchayat, Parigi

Mandal, Rangareddy District.

.....RESPONDENTS

For the Appellant: Mr.D.L.Pandu, Advocate.
For Respondent Nos. 1 to 5: GP for Panchayat Raj & Rural Dev.
For Respondent No. 6: Ms. G. Jyothi Eswar, Standing Counsel.

The Court made the following:

JUDGMENT: (per Sri Goda Raghuram, J)

The unsuccessful writ petitioner is the appellant herein. It is a fishermen's cooperative society which has challenged the determination of the lease amount by the State Government at Rs.30,000/- for the fishing rights in four tanks in Rangampally Village, Parigi Mandal, Ranga Reddy District. The Sarpanch of the Village issued a demand notice for Rs.35,000/- towards the annual lease amount. Aggrieved, the appellant filed a writ petition which was disposed of by an order dated 21-12-2004 of this Court granting liberty to the appellant to file a review petition before the District Collector. The review petition filed by the appellant was disposed of by the District Collector by an order dated 10-02-2005 fixing the annual lease at Rs.4,850/-. Challenging the same, the Sarpanch of the Gram Panchayat filed a revision before the State Government. Eventually, the revision was disposed of by the order impugned in the writ petition whereby the State Government on a consideration of the facts and circumstances, the membership of the appellant-Society and its economic circumstances determined that Rs.30,000/- per annum would be reasonable lease amount. The lease of the fishing tank would enure to the revenue of the Gram Panchayat. This Court finds no error in the exercise of discretion or perversity in the analysis of the facts by the State Government in

determining the annual lease amount at Rs.30,000/-. The learned single judge has rationally considered all the relevant considerations. We are not persuaded to interfere with the discretion of the learned single Judge. We find no reason to interfere with the impugned order.

The appeal is without merits and is accordingly dismissed.

The appellant is granted 15 days time to pay the lease amount as determined by the State Government and if the amount is not paid, the appellant shall not be entitled to the lease.

(Goda Raghuram, J)

10-05-2005

(Dr. G. Yethirajulu, J)

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Note: Furnish copy in two days.

B/O

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To,

1. The Principal Secretary, Panchayat Raj & Rural Development, (PTS-IV) Department, the Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The District Magistrate & Collector (Panchayat Wing), Ranga Reddy District.
3 The District Panchayat Officer, Rangareddy District, Hyderabad.

4 The Divisional Panchayat Officer, Chevella, Ranga Reddy

District.

5 The Asst. Director of Fisheries, Rangareddy District,

Hyderabad.

6 The Sarpanch, Rangampally Gram Panchayat, Parigi

Mandal, Rangareddy District.

7. Two CCs to the Government Pleader for Panchayat Raj and Rural Development, High Court of Andhra Pradesh, Hyderabad (OUT).

8. Two CD copies.